

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SECOND AMENDMENT ARMS, et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 10-CV-4257
)	Judge Robert M. Dow, Jr.
CITY OF CHICAGO, et al.,)	Magistrate Judge Sheila M. Finnegan
)	
Defendants.)	

**DEFENDANTS’ UNOPPOSED MOTION FOR LEAVE TO FILE A MEMORANDUM IN
SUPPORT OF THEIR MOTION TO DISMISS IN EXCESS OF FIFTEEN PAGES**

Defendants City of Chicago (the “City”), Mayor Rahm Emanuel, Superintendent of Police Garry McCarthy, and Susana Mendoza (collectively, “Defendants”), by their counsel, Stephen R. Patton, Corporation Counsel of the City of Chicago, hereby move this Court for leave to file a memorandum in excess of fifteen pages in support of their Motion to Dismiss Counts I-VI of the Fourth Amended Complaint (“Complaint”) filed by Plaintiffs Second Amendment Arms, R. Joseph Franzese, Robert M. Zieman, Sr., and Tony Kole (collectively, “Plaintiffs”). In support of their motion, Defendants state as follows:

1. In their seven-count Complaint, Plaintiffs challenge myriad provisions of the Municipal Code of Chicago, both current and repealed, that relate to firearms stores and firearms possession. They bring their claims under several provisions of the United States and Illinois Constitutions.

2. Defendants have moved to dismiss Counts I-VI. Several of the counts which Defendants are moving to dismiss contain multiple claims and theories.

3. Pursuant to Local Rule 7.1, Defendants’ memorandum in support of its motion to dismiss cannot exceed fifteen pages in length without the approval of this Court.

4. In light of the large number of counts Defendants are seeking to dismiss and the nature of Plaintiffs' claims, Defendants require a total of seventeen pages to adequately raise all of the grounds upon which they seek dismissal. A copy of Defendants' proposed Memorandum in Support of Their Motion to Dismiss Counts I-VI of Plaintiffs' Fourth Amended Complaint, without exhibits, is attached hereto as Exhibit A. Without the additional pages, Defendants would have to abandon important grounds for dismissal and/or not fully develop them for the Court's consideration.

5. Defendants have attempted to keep their arguments as short as possible so as to minimize the amount of additional space required.

6. Defendants' counsel conferred with Plaintiffs' counsel about Defendants' request to file an enlarged brief, and Plaintiffs have no objection provided they are permitted the same number of pages in response.

WHEREFORE, Defendants respectfully request that this Court grant Defendants leave to file a seventeen page brief in support of their motion to dismiss in the form attached hereto as Exhibit A, and grant Defendants such further relief as the Court deems just and appropriate.

Date: January 2, 2015

Respectfully submitted,

STEPHEN R. PATTON,
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